

REMARKS

Claims 1, 3-5, 7, 9, 10 and 12 are currently pending and have been examined on the merits. Claims 1 and 5 are amended hereinabove and claim 4 is cancelled. Support for amended claim 1 can be found in the subject matter of claim 4. Claim 5 is amended to correct a minor typographical error. No new matter has been added.

In the Office Action, claims 1, 3 7 and 9-10 are rejected under 35 U.S.C. § 103(a) as being obvious over Brooks et al. (U.S. Patent No. 7,192,982).

Applicants thankfully acknowledge the Examiner's indication that claim 12 is allowed and that claim 4 is objected to as being dependent upon a rejected base claim.

Without admitting or acquiescing the merits of the rejection and solely to expedite prosecution, Applicants hereby cancel claim 4 and amend independent claim 1 to incorporate its subject matter. As such, claims 3, 7 and 9-10 are also in condition for allowance as depending from claim 1.

This response is without prejudice to prosecution of broader claim language, such as that of original claims 1, 3, 7 and 9-10, in one or more continuing or divisional applications.

Applicants reserve the right to pursue broader claim language in such one or more continuing or divisional applications.

This response is being filed within the shortened statutory period for reply. Thus, no additional fees are believed to be due. If, on the other hand, it is determined that further fees are necessary or any overpayment has been made, the Commissioner is hereby authorized to debit or credit such sum to Deposit Account No. 02-2275.

Pursuant to 37 C.F.R. § 1.136(a), please treat this and any concurrent or future reply in this application that requires a petition for an extension of time of its timely submission as incorporating a petition for extension of time for the appropriate length of time. The fee associated herewith is to be charged to the above-mentioned deposit account.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted

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